

**UNITED STATES DISTRICT COURT**  
**for the**  
**EASTERN DISTRICT OF PENNSYLVANIA**

**FILED OCT 16 2012**

U.S.A. vs. Istvan Merchanthaler

Docket No. 12-214-1

Petition for Action on Conditions of Pretrial Release

COMES NOW, Lee A. Saltzburg, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of Istvan Merchanthaler, who was placed under pretrial release supervision by the Honorable Carol Sandra Moore Wells sitting in the Court at Philadelphia, on May 21, 2012, under the following conditions: \$100,000 unsecured bond; Defendant must reside at 109 Nicholson Dr, Downingtown, PA. 19335, with his wife and child; Defendant shall submit to a curfew at his residence between the hours of 8:00 P.M. until 8:00 A.M.; He shall be subject to electronic monitoring at this residence, at his expense. However, defendant may leave this residence to work, take his child to daycare or school, visit with legal counsel, and to attend medical appointments, all with prior approval of Pretrial Services; He shall not conduct any business for, or have any dealings with, PhoneCard USA.; He shall not conduct any fundraising or conduct any kind of self-employment or entrepreneurial activity; Subject shall seek and obtain supervised employment that is salaried in nature; No contact with any victims, potential witnesses, or co-defendants in this case. Moreover, defendant shall not have any contact with any current or former investors in PhoneCard USA.; Report as directed to Pretrial Services; Surrender not to apply for a passport; Not to leave the ED/PA without the permission of Pretrial Services, after notice to the United States Attorney's Office; Subject shall not commit a federal, state, or local crime during the period of release. Further, defendant shall have no contact with individuals engaged in criminal activity; Not to possess any firearms, any destructive device, or other dangerous weapon, or acquire any such weapons while on release. Any such weapons where the defendant resides must be removed from the residence. Further, no such weapons are to be brought into the residence where he is staying or into any of his vehicles.; Comply with all orders to appear for court; Prior to his release, defendant shall permit Uwchlan Township Police, Downingtown Police Department, and/or the Chester County Sheriff's Office to fully inspect his residence and all of his vehicles for any firearms or dangerous weapons.

On May 29, 2012 Your Honor modified the subject's release conditions to permit him to reside at 143 Selwyn Place, Glenmore, PA 19343 with his wife and child as of May 31, 2012. All other previously established conditions of pre-trial release shall remain in force.

A TRUE COPY CERTIFIED TO BE THE ORIGINAL  
DATED 10/16/12  
ATTEST: [Signature]  
DEPUTY CLERK OF COURT

over...

Respectfully presenting petition for action of Court and for cause as follows:

On October 15, 2012 at 4:20 P.M. the following email was sent by the subject to this officer and other recipients.

"I am sorry to send you this message but I have no option.  
My attorney has failed me and refused to provide me with the files necessary to prepare for my hearing. Therefore I must fend for myself and I am removing my monitoring device. Please be assured that I have given this choice every consideration, and I'm not willing to except anticipated 6 to 8 year sentence. I am absolutely acting on my own and no one else is aware of my decision or plan for the future  
In particular I have given no information whatsoever to my Wife, family and friends as I know what day would do with it.  
I am also responsible for taking a vehicle from David Dodge.

Istvan Merchenthaler."

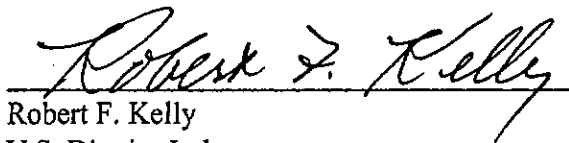
This information was immediately referred to AUSA Vineet Gauri. All attempts to reach the subject have been unsuccessful. He failed to return to his residence at the end of his curfew last night at 8:00. P.M.

AUSA Vineet Gauri concurs with the following recommended course of action.

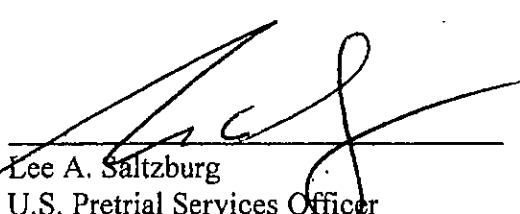
PRAYING THAT THE COURT WILL ORDER that the subject's bail be revoked and that a warrant for his arrest be issued.

ORDER OF COURT

Considered and ordered this 16<sup>th</sup> day  
of Oct., 20 12 and ordered filed  
and made a part of the records in the above  
case.

  
Robert F. Kelly  
U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

  
Lee A. Saltzburg  
U.S. Pretrial Services Officer

Place: Philadelphia

Date: October 16, 2012

2 cc: PRETRIAL